UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

MIGUEL ONOFRE-MORENO, GABRIEL ONOFRE, and RIGOBERTO FLORES,

Plaintiff.

-against-

ARCHWAY ON PEARL, INC. *d/b/a* ARCHWAY CAFÉ, ARCHWAY ON WATER CORP. *d/b/a* ARCHWAY CAFÉ, ARTHUR HASANI a/k/a ARTUR HASANI, and QERIME MARKE.

Defendants.

Civil Action Number: 1:18-cv-04440-VMS

STIPULATION OF DISMISSAL AND AMENDEMENT OF CAPTION TO REMOVE DEFENDANT QUERIME MARKE

The matter in the above-captioned action having been amicably resolved by and between the parties, and the court having approved the settlement as a fair and reasonable, as set forth on the record on September 12, 2019, it is hereby stipulated and agreed,

That the caption shall be amended to remove Defendant Qerime Marke from the litigation as she represents that she represents that she has no ownership or managerial interest in the Company and shall be amended as follows:

MIGUEL ONOFRE-MORENO, GABRIEL ONOFRE, and RIGOBERTO FLORES,

Plaintiff,

-against-

ARCHWAY ON PEARL, INC. d/b/a ARCHWAY CAFÉ, ARCHWAY ON WATER CORP. d/b/a ARCHWAY CAFÉ, ARTHUR HASANI a/k/a ARTUR HASANI,

Defendants.

Civil Action Number: 1:18-cv-06478-BMC

And it is further stipulated and agreed, pursuant to Federal Rule of Civil Procedure 41(a)(2), that the case shall be, and hereby is, dismissed with prejudice and without costs or attorneys' fees against any party. The court shall retain jurisdiction to enforce the parties' settlement agreement.

Dated: New York, New York September 13, 2019

Cilenti & Cooper PLLC Attorneys for Plaintiffs

By: <u>/s/Peter H. Cooper</u>
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Varacalli & Hamra, LLP. *Attorneys for Defendants*

By: /s/ Anthony R. Portesy
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SO ORDERED:

HON. VERA M. SCANLON, U.S.M.J.